

FILING

FILED

JUL 30 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

OMAR CARBALLO-DELGADO,

Defendant.

CR -08 00512

VIOLATION: 8 U.S.C. § 1326 -
Illegal Re-Entry Following Deportation

SAN JOSE VENUE

JF

HRL

INFORMATION

The United States charges:

On or about May 22, 2007, the defendant

OMAR CARBALLO-DELGADO,

an alien, previously having been arrested and deported from the United States on or about August 6, 1993, March 9, 1996, January 6, 1997, November 18, 1998, May 22, 1999, December 8, 2004 and June 16, 2005, was found in the Northern District of California, the Attorney General of the United States and the Secretary for Homeland Security not having expressly consented to a re-application by the defendant for admission into the United States, in violation

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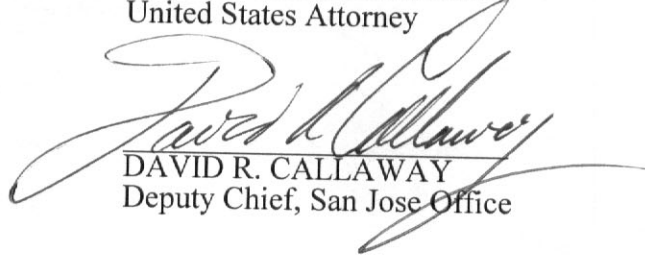
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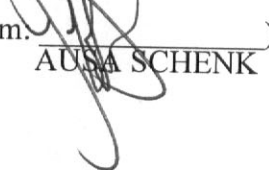
INFORMATION

1 of Title 8, United States Code, Section 1326.

2 DATED: July 22, 2008

JOSEPH P. RUSSONIELLO
United States Attorney


DAVID R. CALLAWAY
Deputy Chief, San Jose Office

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INFORMATION

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**8 U.S.C. Section 1326 -
ILLEGAL REENTRY☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony**PENALTY:**20 years imprisonment
\$250,000 fine
3 years Supervised Release
\$100 special assessment**CR - 08****PROCEEDING**Name of Complainant Agency, or Person (& Title, if any)
IMMIGRATION AND CUSTOMS ENFORCEMENT☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending case involving this same defendant☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.

08-70224 - HRL

Name and Office of Person
Furnishing Information on
THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

JEFFREY B. SCHENK

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA**DEFENDANT - U.S.**

OMAR CARBALLO-DELGADO

DISTRICT COURT NUMBER

FILED
JUL 30 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**00512 JF**
IS NOT IN CUSTODY
1) ☐ Has not been arrested, pending outcome this proceeding.
If not detained give date any prior summons was served on above charges **HRL**2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☒ On this charge5) ☐ On another conviction6) ☐ Awaiting trial on other charges☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer
been filed?☐ Yes
☐ NoIf "Yes"
give date
filed**DATE OF
ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCESS:**☐ SUMMONS ☒ NO PROCESS*☐ WARRANT Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

ADDITIONAL INFORMATION OR COMMENTS